

Ordinance No. 57001

Providing for the laying off, etc. of Charlestown St., providing for condemnation etc. of property necessary therefor, for street, highway, sewer and drainage purposes; providing for payment by special assessment.

54

Council Bill No. 48007

INTRODUCED: JULY 27 1929	BY: STREETS & SEWER
REFERRED: MAY 27 1929	TO: STREETS & SEWER
REFERRED:	FINANCE
REPORTED: JUN 3 1929	VETO:
SECOND READING: JUN 3 1929	PUBLISHED:
THIRD READING:	VETO SUSTAINED:
SIGNED: JUN 3 1929	PASSED OVER VETO:
PRESENTED TO MAYOR:	APPROVED: JUN 4 1929
FILED: JUN 4 1929	PUBLISHED: JUN 10 1929
ENGROSSED: VOL. 2 PAGE 390	BY: CM
COMPARED BY:	AND

ELY:C
5-24-29

SWMS

57001

ORDINANCE NO.

AN ORDINANCE Providing for the laying off, opening, widening, extending and establishing of Charlestown Street, between Rainier Avenue and 35th Avenue South, and between 42d Avenue South and 43d Avenue South; and providing for the condemnation, appropriation, taking and damaging of land and other property for public street and highway, sewer and drainage purposes, over a portion of Block 2, Montrose Addition to Seattle, recorded in Volume 7 of Plats, page 91; providing for the establishing of the curb grades of Charlestown Street from Rainier Avenue to 35th Avenue South; providing for the condemnation, appropriation, taking and damaging of land and other property necessary therefor and for the making of the necessary slopes for cuts and fills upon said Charlestown Street; and providing that the entire cost of said improvement shall be paid by special assessment upon property specially benefited, in the manner provided by law, or from such fund as the City Council may direct, or by both special assessment and from such fund

WHEREAS, Public necessity and convenience demand that said Charlestown Street be laid off, opened, widened, extended and established, and that certain property be taken for public street, highway, sewer and drainage purposes, and that the curb grades of the above named Charlestown Street be established; and

WHEREAS, Such improvement will be of special benefit to certain lands, premises and other property; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Charlestown Street, from Rainier Avenue to 35th Avenue South and from 42d Avenue South to 43d Avenue South, be and the same is hereby laid off, opened, widened, extended and established as a public street and highway over and across the following lots, blocks and tracts of land, to-wit:

UNPLATTED

That portion of the southwest quarter of the southwest quarter of the northwest quarter of Section 15 Township 24 North Range 4 East W.M. described as follows: beginning at the intersection of the northeasterly margin of Rainier Avenue as now established with the south margin of Charlestown Street as now established; thence south 89°54'44" east along said south margin a distance of four hundred three and seventeen one-hundredths (403.17) feet to an intersection with the west boundary line produced north of Plat 22, in the Plat of York Addition to the City of Seattle, recorded in Volume 10 of Plats, Page 84; thence south 0°29'41" west along said west boundary line a distance of thirty (30.00) feet; thence north 89°54'44" west a distance of three hundred

seventy-seven and sixty-one one-hundredths (377.61) feet to an intersection with the northeasterly margin of Rainier Avenue as now established; thence northwesterly along said northeasterly margin a distance of thirty-nine and twenty-seven one-hundredths (39.27) feet to the point of beginning;

In YORK ADDITION TO THE CITY OF SEATTLE
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That portion of Lot 1, Block 22, described as follows:
beginning at the northeast corner of said lot; thence south along the east line thereof a distance of five and ninety-nine one-hundredths (5.99) feet; thence west along a straight line a distance of one hundred eleven and ninety-six one-hundredths (111.96) feet to an intersection with the west line of said lot, the point of intersection being south six and forty-five one-hundredths (6.45) feet from the northwest corner of said lot; thence north along the west line of said lot a distance of six and forty-five one-hundredths (6.45) feet to the northwest corner of said lot; thence east along the north line of said lot a distance of one hundred eleven and ninety-nine one-hundredths (111.99) feet to the point of beginning;

the PLAT OF LAKEWOOD, A REPLAT OF PART
OF MAYNARD'S LAKE WASHINGTON ADDITION TO
SEATTLE, Volume 10 of Plats, Page 46

- The south six (6.00) feet of Lot 2, Block 3;
- The north six (6.00) feet of Lot 3, Block 3;
- The south six (6.00) feet of Lot 14, Block 3;
- The north six (6.00) feet of Lot 15, Block 3;

Section 2. That certain land and other property in Montrose Addition to Seattle, as recorded in Volume 7 of Plats, Page 91, be and the same is hereby condemned, appropriated, taken and damaged for public street, highway, sewer and drainage purposes, said property being more particularly described as follows, to-wit:

All of Lots 1, 2 and 3, Block 2, except portion condemned under Ordinance No. 53665;

said property to be condemned, appropriated, taken and damaged for public street and highway, sewer and drainage purposes, only after just compensation has been made or paid into court for the owners thereof, in the manner provided by law.

Section 3. That the curb grades of Charlestown Street, from Rainier Avenue to 35th Avenue South, be and the same are hereby established at the following elevations above City Datum, to-wit:

Opposite the intersection of the south margin of Charlestown Street as established herein with the northeasterly margin of Rainier Avenue as now established, at elevations conforming with the existing grade on Rainier Avenue,

South curb	38.00 feet
North curb	37.20 feet

At the west margin of 34th Avenue South,

North curb	35.00 feet
South curb	35.00 feet

At the west margin of 35th Avenue South,

North curb	31.00 feet
South curb	31.00 feet

At the east margin of 35th Avenue South,

North curb	31.00 feet
South curb	31.00 feet

That the curb gradients shall be of a uniform rate of grade between the elevations established herein.

Section 4. That in the grading of the above named street, the City shall acquire the right, in the case of a cut, to remove the lateral support abutting upon said street. In every case the right to remove the said lateral support shall include the right to carry the slopes back into and extending upon the abutting real property at least one foot for each foot of depth of cut, and in the case of fills the right shall be acquired to extend and maintain upon the abutting real property slopes of one and one-half feet for each foot of elevation of fill, for the purpose of acquiring lateral support for said street; reserving unto the abutting property owners respectively the right at any time to remove such slopes, upon providing and maintaining other adequate lateral support for said street.

Section 5. That all lands, rights, privileges and other property lying within the limits of the lots, blocks and tracts of land described in Section 1 hereof, be and the same are hereby condemned, appropriated, taken and damaged for the purpose of a public street and highway; and that all lands, rights, privileges and other property necessary to be taken, used or damaged in the grading of said street in conformity with the grades established in Section 3 hereof; and in the construction of the necessary slopes for cuts and fills upon the real property abutting on said street, as set forth in Section 4 hereof, are hereby condemned, taken, appropriated and damaged for the public use for such purposes, said lands, rights, privileges and other property to be taken, appropriated and damaged only after just compensation has been made or paid into court for the owners thereof in the manner provided by law.

Section 6. That the entire cost of the improvement provided for herein shall be paid by special assessment upon the real property specially benefited, in the manner provided by law, or from such fund as the City Council of the City of Seattle may direct, or by both such special assessment and such fund.

Section 7. That the Corporation Counsel be and he is hereby authorized and directed to begin and prosecute the actions and proceedings in the manner provided by law to condemn, take, damage and appropriate the lands and other property necessary to carry out the provisions of this ordinance and also to take the steps necessary to make such special assessment.

(To be used for all Ordinances except Emergency.)

Section 8 This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed the City Council the 3 day of JUNE, 1929,
and signed by me in open session in authentication of its passage this 3 day of
JUNE, 1929 John E. Carson
President of the City Council.

Approved by me this 4 day of JUNE, 1929
Frank Edwards
Mayor.

Filed by me this 4 day of JUNE, 1929
Attest: A. W. Carroll
City Comptroller and Ex-Officio City Clerk.

(SEAL) By: W. S. Stark
Deputy Clerk.
Published JUN 10 1929
By: A. W. Carroll
City Comptroller and Ex-Officio City Clerk.
By: W. S. Stark
Deputy Clerk.